

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

KAREN D. JEFFRIES-WRIGHT,

Plaintiff,

Case No. 22-cv-303-pp

v.

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA, NEW YORK, NY,

Defendant

THE GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA,

Counter Plaintiff/Third Party Plaintiff,

v.

KAREN D. JEFFRIES-WRIGHT
and KIMBERLY JEFFRIES,

Counter-Defendants/Third Party Defendants.

**ORDER GRANTING (AS MODIFIED) GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA'S MOTION FOR INTERPLEADER DEPOSIT AND
DISCHARGE (DKT. NO. 10) AND GRANTING GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT
(DKT. NO. 11)**

Guardian Life Insurance Company of America, New York, NY filed a motion for interpleader, deposit and discharge, asserting that Guardian believed there were multiple, competing claims to the life insurance proceeds of insured James J. Jeffries, Sr. under the Autokiniton US Holdings, Inc.

Associate Benefit Plan insured under Group Policy Number G-00481899 issued by Guardian to Autokinton US Holdings, Inc. Dkt. No. 10. The motion stated that Guardian believed that the insured's daughters, Karen D. Jeffries-Wright and Kimberly Jeffries, had competing claims.

On March 30, 2023, the court held a telephonic hearing attended by Guardian's counsel and Karen D. Jeffries-Wright; Kimberly Jeffries did not attend. During that hearing, while under oath, Kimberly D. Jeffries-Wright agreed that 100% of the proceeds of the above-described policy should be paid directly to her sister, Kimberly Jeffries. Later that day, Karen D. Jeffries-Wright filed by facsimile (as orally authorized by the court) a written statement confirming that she agreed that Guardian should pay 100% of the proceeds to Kimberly Marie Jeffries; Ms. Jeffries-Wright signed this statement. Dkt. No. 28.

Based on Karen D. Jeffries-Wright's statements under oath at the March 30, 2023 hearing and in the March 30, 2023 statement filed with the court, the court orders the following:

The court **GRANTS** Guardian Life Insurance Company of America's Motion for Interpleader Deposit and Discharge, **MODIFIED** to request leave to pay the insurance proceeds to a specific individual rather than to deposit the proceeds with the Clerk of Court. Dkt. No. 10.

In accordance with the oral and written agreement of Karen D. Jeffries-Wright, the court **ORDERS** that Guardian is authorized to disburse to Kimberly Jeffries 100% of the \$7,125 in life insurance benefits (the "Plan Benefits") payable due to the death of James J. Jeffries, Sr. (the "Insured"), under the

Autokiniton US Holdings, Inc. Associate Benefit Plan insured under Group Policy Number G-00481899 issued by Guardian to Autokiniton US Holdings, Inc.

The court **ORDERS** that Guardian, Autokiniton US Holdings, Inc., as Plan sponsor, and the Plan are discharged from any further liability for the Plan Benefits and from any further liability to Karen D. Jeffries-Wright/or and Kimberly Jeffries or any other person or entity under the Plan with respect to the Insured's coverage.

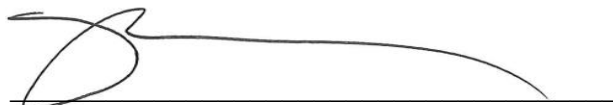
The court **ORDERS** that Karen D. Jeffries-Wright and Kimberly Jeffries and anyone claiming by or through them are restrained and enjoined from instituting any action or proceeding in any state or United States court against Guardian, Autokiniton US Holdings, Inc., as Plan sponsor, and the Plan related to the Plan Benefits or the Insured's coverage under the Plan, including any interest or claims related thereto.

The court **GRANTS** Guardian Life Insurance Company of America's Motion to Dismiss Plaintiff's Complaint. Dkt. No. 11.

The court **ORDERS** that this case is **DISMISSED WITH PREJUDICE**. The clerk will enter judgment according.

Dated in Milwaukee, Wisconsin this 31st day of March, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge